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GOVERNMENT OF INDIA
LABOUR DEPARTMENT

RESOLUTION

New Delhi, the 12th May 1947

No. LR2(103).—The Government of India have had under their review for sometime past the necessity to bring about an improvement in the conditions of workers in the Coal Mining Industry. The report of Mr. Deshpande on the conditions of labour in the coalfields undertaken as part of a general investigation into labour conditions in the country, emphasized the need for formulating and implementing a positive policy in regard to the wages of colliery workers so as to facilitate the development of an efficient, contented and settled labour force in the coalfields. The Report of the Indian Coalfields Committee also stressed the importance of securing fair wages to colliery workers. The Government of India announced in December 1946 the formation of a committee to enquire into the basic wages of colliery workers and to make recommendations on what should be considered as reasonable wages for the different categories of workers in the coalfields. Before the Committee could assemble the situation in collieries had deteriorated considerably; and as a breakdown in coal production would have had serious repercussions on other industries, the Government of India constituted a Board of Conciliation under the Trade Disputes Act, 1929, for promoting settlement of the disputes existing or apprehended in the coalfields of Bengal and Bihar. The Board have now submitted their report. The report is published as required under Section 12 of the Trade Disputes Act, 1929 (VII of 1929).

2. The recommendations of the Board fall into three groups,

- (1) wage rates, dearness allowance annual bonus and the institution of a Provident Fund,
- (2) annual leave, overtime wages, permanency of service, protection against arbitrary punishment, compensation for forced idleness, relieving staff, issue of explosives free of cost, loans on easy terms, supply of uniforms and foot-wear, railway passes, transport facilities from residence to place of work, etc., and
- (3) improvement of medical facilities, water supply arrangements, education, improved rations, hours of work, standardization of coal tubs and application of the Payment of Wages Act

The Report is a unanimous one, subject only to a reservation made by the representative of employers that selling prices of coal should be suitably increased to enable the industry to meet the liabilities accruing therefrom.

3. The Board have recommended that piece-rates for miners, trolley-men and wagon-loaders should be increased from Re. 0-8-0 to Re. 0-12-0 per tub of 36 cft., and that for a male time-rate worker the minimum basic wage should be Re. 0-8-0 per day. The recommendation relating to the basic wage of the underground worker is applicable to the coal-cutter who cuts (by pick) and fills one 36 cft. capacity tub from a gallery face per shift. Rates for other analogous categories of colliery workers should be, where necessary, adjusted so as to accord with the general wage level indicated by the Board. The Board have also suggested the standardisation of rates for 'lead' and 'lift' and have recommended certain basic scales.

In regard to dearness allowance the Board have recommended that all workers with a basic wage of Rs. 30 per mensem and under should be paid a dearness allowance equal to 150 per cent. of the basic wage as against the current rate of 100 per cent. and that the dearness allowance rates for those with a basic wage above Rs. 30 should be revised suitably. Although the Board have not specified the rates of increase for these groups, it has been ascertained that the intention of the Board was to give the following increases:—

Basic wage per month.	Existing Scale.		Proposed Scale.	
	Dearness allowances as percentage of basic wage or pay	Minimum	Dearness allowance percentage of basic wage or pay.	Minimum
Rs. 31 to Rs. 50 -	75	Rs. 30/-	100	Rs. 45/-
Rs. 51 to Rs. 100/-	50	Rs. 37/8	66 $\frac{2}{3}$	Rs. 50/-
101 to Rs. 300/-	35	Rs. 50/-	40	Rs. 67/-

The above rates will be given effect to, according to the Report of the Board, from the date of publication of the Report. Government trust that the industry will work out appropriate increases or new piece-work rates for analogous workers and give effect to them from the same date. The dearness allowance rates proposed above would naturally be subject to variation with changed circumstances.

4. The Board have recommended the grant of an annual bonus equal to four months' basic wages and that it should be split up into two methods of calculation:—

- (a) two months' basic wages as bonus dependent on attendance, the qualifying periods being 190 days per year in the case of underground workers and 265 days per year in the case of weekly, or monthly rated employees or surface workers, and

- (b) a bonus on the basis of two months basic wages of those qualifying under (a) above and related to raisings during the year which the Board have termed as Production Bonus

These bonuses should be admissible only to those who have not taken part in any illegal strike during the qualifying period

Details of the second bonus termed the Production Bonus are not clear from the Board's Report. A production bonus, as commonly understood is necessarily a variable bonus depending upon the output of the worker. It cannot, therefore, in individual cases be a constant figure equal to two months basic wages as contemplated by the Board. In subsequent discussion Government have ascertained that the intention is that each colliery owner should contribute Re 0 5 6 for every ton of coal produced, the total amount so collected being distributed at the end of the year among the workers in proportion to their basic earnings subject to their qualifying for it on the basis of a minimum attendance of 265 days in the case of surface workers and 190 days in the case of underground workers. A bonus paid out in this manner is not a production bonus as normally understood, but it has, nevertheless, a close connection with the annual output of the colliery in the sense that the amount available for distribution will depend upon the output of the mine.

In the light of the elucidation since obtained, and subject to the conditions prescribed by the Board, Government accept the proposals of the Board in regard to the bonus payment.

5 The Board have also recommended the constitution of a compulsory Provident Fund Scheme but have made no suggestions regarding the rate of contribution. Government welcome this recommendation and consider that it should be given effect to from the date from which increases in wages and dearness allowances are made effective. Following the general practice, the rate of contribution by the employees may be fixed at an anna in the rupee of the basic wages. Government are taking necessary action to have the Provident Fund Rules framed in consultation with representatives of employers and workers. The Scheme would obviously have to be on a contributory basis but the conditions on which the employers will be required to contribute to such a fund and such contributions will become payable to employees will be prescribed under the Rules. Pending the formulation of these rules the intention is that Provident Fund deductions should be made from all employees at the rate mentioned above from the date the wage increases are given. The question as to which of these contributions will be retained in the Provident Fund will be determined by the rules.

6 The concessions enumerated in paragraphs 3 and 4 will apply to workers (other than those whose pay conditions of service are at present assimilated to those obtaining in other Railway establishments) in Railway collieries also. The Provident Fund benefits proposed by the Board will be extended to all workers in Railway collieries who are not already contributors to the Indian Government Railway Provident Fund.

7 As the recommendations referred to in paragraph 2 above have been concurred in by the representatives of the employers on the Board Government trust that the Industry will take prompt action to give effect to them. For the

part, Government of India would consult the Provincial Governments in regard to the Board's recommendations regarding improved water supply arrangements, education and improved rations and take appropriate action. Government are also taking action to improve medical facilities through the agency of the Coal Mines Welfare Fund. Questions such as the abolition of the contractor system in Railway collieries, hours of work, standardization of coal tubs and the application of the Payment of Wages Act to coal mines, are under the consideration of Government and their conclusions will be announced in due course.

8. Although the recommendations of the Conciliation Board are applicable only to collieries in Bengal and Bihar, Government recognise that appropriate action would be necessary in respect of coalfields in the Central Provinces and elsewhere and will take necessary action as soon as possible.

9. Reference has been made earlier to the reservation as to the price of coal made by the Employers' representatives on the Board. Government accept the position that the price of coal must take into account the cost of the concessions now made to labour. They have, therefore, undertaken an investigation into the costs of production of coal, including estimated increase on account of the new concessions and propose to refer the question of price revision to the Commodities Prices Board in the next few days. Government will endeavour to announce their final decision on prices during June, 1947, and expect that, with this assurance, mine-owners will proceed forthwith to implement the proposals of the Board.

10. As a result of the increases in wages and dearness allowance, the grant of bonus and the institution of the Provident Fund Scheme, the average earnings of the underground worker with a basic wage of upto Rs. 30 per month will increase from a minimum of about Rs. 1-6-0 to Rs. 2-7-9 a day, while those of the surface time rated worker in the same wage group will increase from Rs. 1-6-0 to Rs. 1-13-2 a day. The cost of these benefits would amount to over seven crores of rupees per annum in respect of the Bengal and Bihar coalfields alone. Government trust that the grant of these substantial concessions will bring about a marked improvement in the standards of living of colliery workers, promote the development of an efficient, contented and settled labour force in the coalfields, substantially increase the output and inaugurate an era of industrial peace in the coalfields, so indispensable for the general economy of the country.

ORDER

ORDERED that a copy of the Resolution be communicated to all Provincial Governments, all Chief Commissioners, the several Departments of the Government of India, the Political Department, the Private and Military Secretaries to His Excellency the Viceroy, the Central Board of Revenue, the Auditor General, the Director General of Employment and Resettlement, the Director General, Industries and Supplies, the High Commissioner for India in London, the Economic Adviser to the Government of India, the Director of Commercial Intelligence, Calcutta and all recognised Chambers of Commerce and Associations.

ORDERED also that it be published in the Gazette of India.

Report of the Board of Conciliation (Colliery Dispute) appointed by the Government of India, Department of Labour, under Notification No. L.R. 2(78), dated New Delhi, the 5th February, 1947.

GOVERNMENT OF INDIA
DEPARTMENT OF LABOUR

NOTIFICATION.

New Delhi, the 5th February, 1947

No. L.R. 2(78).—WHEREAS a trade dispute exists in the collieries in the Provinces of Bengal and Bihar, specified in the First Schedule annexed to this Order concerning the terms of employment of persons employed therein, and more particularly, the matters enumerated in the Second Schedule annexed to this Order;

AND, WHEREAS, a trade dispute concerning the like matters is apprehended in all other collieries in the said Provinces, including the Giridih Collieries, wherein the employer is the head of a department under the control of the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by section 8 of the Trade Disputes Act, 1929, the Central Government is pleased to refer the disputes existing or apprehended as aforesaid to a Board of Conciliation for promoting a settlement thereof and to appoint the following persons as chairman and members of the Board respectively, namely:—

1. Mr. W. R. Puranik, Retired Judge of the Nagpur High Court—
Chairman.
2. Mr. S. F. Tarlton—Member.
3. Mr. D. R. Rathor—Member.
4. Professor Abdul Bari—Member.
5. Mr. P. C. Bose—Member.

2. The Board will enquire into all the disputes existing or apprehended in the coalfields situated in the Provinces of Bengal and Bihar for promoting a settlement thereof.

FIRST SCHEDULE

- (1) Kirkend Colliery.
- (2) Bokaro-Jharia Colliery.
- (3) Albion Colliery.
- (4) North Damodar Colliery.
- (5) Kessurgarah Colliery.
- (6) Sunkerpore Colliery.
- (7) Ganespur Coal Company.
- (8) Sithalpur Colliery.
- (9) Giridih Collieries.
- (10) Brusserya Colliery.
- (11) Balliary Colliery.
- (12) Pathargoda Colliery.
- (13) Putkee Colliery.
- (14) Jamadoba Colliery.
- (15) Madhuband Colliery.

SECOND SCHEDULE

- (1) Revision of wages.
- (2) Increase in dearness allowance.
- (3) Payment of wages to contractors' labour.
- (4) Hours of work.
- (5) Recognition of workers' unions.
- (6) Alleged non-payment of dearness allowance to quarry workers.
- (7) Supply of clothing and foot-wear to coal miners.
- (8) Provident fund benefits.
- (9) Grant of loans to employees on easy terms.
- (10) Leave with pay.
- (11) Railway passes.
- (12) Provision of houses for miners.
- (13) Adequate water supply arrangements.
- (14) Better medical facilities.
- (15) Adequate conveyance facilities.
- (16) Payment of benefits under Mines Maternity Benefit Act.
- (17) Educational facilities for children of employees.

V. K. R. MENON, Jt. Secy.

2. The Government of India, Department of Labour, also issued the following Press Note, dated New Delhi, the 6th February, 1947:—

“BOARD OF CONCILIATION FOR COLLIERY LABOUR. BREAKDOWN IN PRODUCTION TO BE AVOIDED.

In their Press Note of December 9, 1946, the Government of India constituted a Committee designated the Coal Mines Wages Enquiry Committee to enquire into and make recommendations in respect of workers in Coal Mines. For unavoidable reasons the Committee could not commence its work yet and meanwhile the situation in collieries has deteriorated considerably. The breakdown in coal production will have most serious repercussions on other industries which depend on coal and will thus greatly imperil the general economy of the country.

The Government of India have, therefore, constituted a Board of Conciliation under the Trade Disputes Act, 1929, composed of (1) Mr. W. R. Puranik Retired Judge of the Nagpur High Court (Chairman), (2) Mr. S. F. Tarlton, (3) Mr. D. R. Rathor, (4) Professor Abdul Bari, and (5) Mr. P. C. Bose (Members). The Government of India hope that employers and workers will fully co-operate in making the efforts of the Board a success.

STRIKES AND LOCKOUTS DECLARED ILLEGAL

They also wish to observe that under clause (iii) of Order No. LR. 16 (10), dated December 19, 1945, which continues to be in force, the trade dispute having been referred to a Board of Conciliation, no person employed in collieries in the areas covered shall go or remain on strike and no employer in any of the undertakings concerned shall lock out or continue to lock out his employees during the period until the expiry of two months after the conclusion of the proceedings of the Board of Conciliation.

Instigation or inciting others to take part in or to act in furtherance of a strike or lockout will also be illegal.”

3. The Chairman arrived in Dhaubad on the 11th February, 1947, and immediately contacted all the other members to formulate the line of conciliation that should be adopted. The Board had its first meeting on the 14th, and thereafter until the open session, met on the following days:

16th February,
21st February,
24th February,
8th March,
12th March,
13th March, and
14th March.

4. There was some doubt as to whether the Board was to restrict its scope of conciliation only to the collieries that were mentioned in the above-quoted notification, but it was made clear by the Government of India in the Labour Department, through a press note, dated 20th February 1947 (reproduced below) that the intention was that the Board should conciliate into all the disputes that may be existing or are apprehended in the coalfields of Bengal and Bihar. It was also made clear that the Board was not to restrict its findings only to the demands of the coalmine workers mentioned in the Second Schedule of the Notification, but to promote a settlement of whatever demands, such as profit sharing bonus, grade system, etc., that may be put before the Board by the workers:—

“GOVERNMENT OF INDIA

DEPARTMENT OF LABOUR

PRESS NOTE

In a press note dated the 5th February 1947, it was announced that a Board of Conciliation had been constituted under the Trade Disputes Act, 1929, for promoting a settlement of certain trade disputes in the collieries in Bengal and Bihar. According to the terms of the notification dated the 5th February, 1947, relating to the constitution of the Board, it is required to enquire into *all* the disputes existing or apprehended in the coalfields in Bihar and Bengal and to endeavour to promote a settlement thereof. The list of matters under dispute published with this notification is by no means exhaustive nor is it necessary statutorily to publish a complete list of all matters in dispute. The Conciliation Board has full discretion to enquire into other matters concerning the terms of employment of colliery workers, *e.g.*, ‘profit sharing bonus’, ‘grade system’, etc., and there is no ground for the apprehension felt in certain quarters that the scope of the Board’s work has been restricted by the limited terms of reference.”

5. A general circular (Appendix 1) was issued on the 17th February 1947 to the various labour unions of Bengal and Bihar coalfields asking them to send a written memorandum of the grievances of the coalminers whom they represent and the reply was asked for by the 1st March, 1947. In order to save time, the organisations of the mineowners were supplied simultaneously with a list of the demands which were commonly put forth by the coalminers of the two coalfields (Appendix 2) and they were asked to let the Board know in writing which of these demands they were prepared to redress. Their reply was asked for by the 4th March, 1947. The representatives of the Industry requested that the time for the submission of their reply should be extended up to the 8th March, 1947 (*vide* Appendix 3). The request was agreed to.

6. In the interval, the Board thought their time would be best utilised by making personal contacts on the spot with the miners, owners, managers of collieries, representatives of unions and by studying personally the conditions of work other service conditions, housing, drinking water and sanitary arrangements. For this purpose the Board, with the assistance of the Chief Inspector of Mines, randomly selected collieries which were to give them an opportunity of obtaining an insight into the working and living conditions of first class, second class, and third class collieries and collieries owned by Gujratis, Marwaris, Europeans, Bengalis and Punjabis and others and also the Railway-owned collieries. The following collieries were, therefore, visited :-

- 13th February—Khas Dharmaband Colliery.
- 15th February—Coal Welfare Commissioner's Central Hospital under construction
- 18th February—Giridih
- 21st February—Sijua Electric Supply Company's Power House and Coke Plant.
- 22nd February—Loyabad Colliery.
- 26th February—Sanctoria Hospital, Laikhdih.
- 27th February—Khodia, Kalimati, Begunia and Badjna.
- 28th February—Sithalpur Colliery and Barmondia.
- 1st March—Kajora Group of Collieries. Jamadoba Selected Colliery, Sunkerpore Colliery and Colliery of Chandanmull Indrakumar at Haripur.
- 3rd March—North Damodar.
- 4th March—Khas Kenda Colliery, Jamuria A & B Colliery, Banksimullah Colliery Pits 11 and 12 and Old Banksimullah Colliery.
- 5th March—Kastore Digwadih Collieries.
- 6th March—Tatas' Sijua Colliery and Jharia Khas Angarpathra Colliery.
- 9th March—Keshargarrah Colliery, North Damodar and Albion Collieries were again visited.
- 11th March—Bokaro, Godamalla, Bernio and Dhori quarries.
- 15th March—North Damodar, Bokaro-Jharia and Albion Collieries were visited for the third time.
- 22nd March—Argada and Sirka.

7. It might be mentioned in passing that when the Board assembled in Dhanbad, the atmosphere prevailing in the Bihar Coalfield was far from satisfactory. Strikes were existing and threats of strikes at various collieries had also been given, but the situation soon calmed down. The response to the Board's invitation to labour unions to represent the grievances of the coalmine workers was spontaneous. A certain number of unions, which are run by Socialist leaders, however, did not respond, as the Socialist Party was not satisfied with the composition of the Board. They, therefore, kept themselves aloof. They, however, assured the Chairman that though they would not co-operate with the Board, they would, at the same time, not be obstructive in any way.

8. A dispute was also existing in the Sijua (Jharia) Electric Supply Co. Though this is not a colliery, but as electric power is supplied by this company to the whole of the Jharia Coalfield any stoppage of work in this establishment would have affected the production of the whole coalfield. The Bihar Government, by their notification No. 376 XL(S)-25/47-L, dated 8th February, 1947, reproduced at Appendix 4, asked the Board to conciliate in the dispute of that Company also. The demands for redress, by the workers of the Company, were

the same as those of the colliery workers. A copy of those demands was, therefore, sent to the management of this Company (enclosure to Appendix 5) and they were asked, as in the case of the mineowners, to let the Board know which of these demands they were prepared to redress. The reply of the management is at Appendix 6. The union of the workers employed in the Electric Company was also asked to submit a memorandum of the grievances of its members and the reply of the union is at Appendix 5.

9. A list of the Unions that submitted a written memorandum is given at Appendix 7, while the Industry decided that they would submit a joint memorandum (Appendix 8).

10. From the memoranda received from the Unions, it appeared that there were some extra demands which they wanted to be redressed. The following is a complete list of all the demands put forth by the various unions of the coalmine workers:—

1. Recognition of Unions.
2. General increment in wages:—
 - A. Minimum wage,
 - B. Dearness allowance to be linked to the cost of living
 - C. Underground allowance,
 - D. Detention fee.
 - E. Increments as follows:—

(a) Up to Rs. 50	75%
(b) Rs. 51 to Rs. 100	50%
(c) Rs. 101 to Rs. 200	33½%

3. Grade system.
4. Profit Sharing Bonus.
5. Leave and holidays with pay.
6. Overtime.
7. Educational facilities for children of employees and Recreation provision.
8. Better Medical Facilities.
9. Preference for children and relatives of employees for employment.
10. Promotion by seniority.
11. Pithead baths and free supply of soap.
12. Monthly basis.
13. Provision for houses for miners and water supply arrangements
14. Provident Fund, Gratuity and old age pensions, etc.
15. Creches.
16. Supply of rations.
17. Paid rest day.
18. Permanency of service and protection against arbitrary punishment
19. Supply of clothing and Foot-wear.
20. Relieving Staff.
21. Facilities for higher education of workers' children
22. Compensation for forced idleness.

23. Hours of work.
24. Lignite coal and surplus coal raising
25. Payment of wages to Contractors Labour
26. Alleged non payment of Dearness Allowance to quarry workers
27. Loans on easy terms.
28. Railway passes
29. Conveyance facilities
30. Maternity Benefit Act.
31. Cost of Explosives
32. Miscellaneous suggestions
33. Underweighting and overloading whereby earnings are reduced

11. After examining the memoranda received from the unions (Appendix 9), and the replies of the Industry (Appendix 10) the Board invited the leaders of the unions who had submitted a written memorandum and also the representatives of the Industry to appear before the Board for oral evidence on the 17th March 1947 and following days. For facilities sake the memoranda of the various unions have been summarised and a Synopsis prepared of the Industry's reply (Appendix 11). The representatives of both the parties selected the following gentlemen as their respective spokesmen:

Spokesmen of Labour

1. Mr. Sudhon Gupta
2. Mr. D. N. Sen or in his absence Mr. J. Pandey
3. Mr. K. L. Paul
4. Mr. J. Saku or in his absence Mr. S. D. Gupta
5. Mr. R. N. Sharma
6. Mr. T. S. Chatterjee for the Power House
7. Mr. Satya B. Sen
8. Mr. Chupai Bhattacharyya
9. Mr. Bindeshwar Singh

Spokesmen of Industry

1. Mr. J. L. Datta
2. Mr. T. N. Mukerjee
3. Mr. B. P. Aggarwala
4. Mr. E. W. A. Carpenter
5. Mr. W. J. Robb
6. Mr. J. McCrae
7. Mr. J. K. Dhotaria

Such of the other labour union leaders who wished to represent the case of their union separately were also allowed to do so.

12. A dispute was apprehended in the Jowabad Coke Manufacturing Works, Jharia and the Bihar Government by their notification No. 855 XL(S) 25/47 L, dated the 18th March 1947 (Appendix 12) referred the dispute to the Board for settlement. A list of the demands of the workers Union in the Jowabad Coke Plant (enclosure to Appendix 12) which are the same as of the miners, was sent to the management with the request to let the Board know which of these demands they were prepared to redress. The management replied

that the Loyabad Coke Plant associated itself with the reply already given by the Indian Mining Association on behalf of the whole industry. The management and the leader of the Union were summoned to give oral evidence before the Board on the 25th March (Appendix 13).

13. It was considered beneficial to examine the management of the Railway collieries and of their unions separately. They were, therefore, summoned to give oral evidence before the Board from the 25th March onwards.

14. The sanitation, specifications of dhowrahs, drinking water supply and in the case of the Hazaribagh area provision of education is controlled by the various Mines Boards in the Raniganj and Bihar Coalfields. It was, therefore, considered necessary that the Chief Medical Officers of these boards should also be summoned for oral evidence. The Coal Mines Welfare Commissioner, whose organisation caters for the welfare of the miners, was also summoned for oral evidence (Appendix 14).

15. Taking of the oral evidence was concluded on the 28th March 1947, and will be found in Appendix 15.

16. When the Board met on the 29th March to deliberate on the terms of a settlement, it received the sad news of the death of Professor Abdul Bari under tragic circumstances and the Board adjourned for the day after passing the following resolution —

"The Board of Conciliation heard with deep regret the sudden death of Professor Abdul Bari, a member of this Board, under tragic circumstances, when he was on his way to Patna last night"

"The Board feels greatly aggrieved at this sudden loss and sends condolences to the members of his family."

"As a mark of respect the meeting of the Board stands adjourned for the day."

17. We now proceed to give our findings on the general demands submitted to us.

(1) **Recognition of Unions.**—Labour demands that all Unions applying for recognition should be recognised by the respective Management

As however the Indian Trade Unions Act, 1926 is likely to be amended shortly by a Bill now before the Central Assembly, and as such Bill provides the necessary machinery for recognition, we deal only with the interim period.

For this interim period, we are of the opinion that Unions, already formed and with whom Members of the Industry had entered into negotiations prior to the constitution of this Board of Conciliation, should be recognised without further delay, provided they comply with the following conditions —

- (a) that all the ordinary members of the union be workers employed in the coal industry;
- (b) that the union be a registered trade union under the present Trade Unions Act or undertakes to apply for such registration immediately;
- (c) that its rules do not exclude members on communal or religious grounds;
- (d) that its rules lay down a procedure for declaring a strike and in particular provide for 14 days' notice and guarantee that safety men in no circumstances will be called out on strike;
- (e) that it is a trade union representative of the workers;
- (f) that the union will not support an illegal strike

(2) **Increased Wage Rates.**—This being the most important item of labour's demands, has had our very special attention, and has called for consideration of many aspects of the wage structure, and in particular the following:—

- (a) Present wage level;
- (b) Cost of living, on both existing and desirable standards of nutrition;
- (c) Shortage of food, cloth, and all other commodities;
- (d) Real money values of increased wages resulting from (c);
- (e) Effect on production.

Our conclusions are:—

- (1) That the miner, trolleyman, and wagon loader call for preferential treatment, in view of the strenuous nature of their employment, often under trying conditions. For these categories therefore, we recommend an increase in their 1939 basic wage of 50 per cent.
- (2) For all categories including the above we recommend a further increase in dearness allowance of 50 per cent, making 150 per cent. in all, above 1939 basic wages

Such increase applies to those in the basic wage rate of Re. 0 to Rs. 30 per mensem. In wage rates above this, there will be a revision of the existing scale of percentage dearness allowance

- (3) We have based our calculation of a coal cutter's income on the category who cuts (by pick) and fills one 36 c. ft. capacity tub from a gallery face per shift. The old basic payment for such work is generally, and should be universally, Re. -/8/-. The new payment we recommend is:—

	Rs.	A.	P.
	Per tub.		
Present basic	0	8	0
50% increase on basic	0	4	0
New basic	0	12	0
150% dearness allowance	1	2	0
Total per tub	1	14	0

In addition the present system of cash concession and free rice on attendance i.e., $8\frac{1}{2}$, $4\frac{1}{2}$ or $6\frac{1}{2}$ annas *plus* a quarter seer of free rice per day should continue. The average cash value of these two is Re. 0-6-0.

	Rs.	A.	P.
Therefore earnings per day are	1	14	0
plus	0	6	0
Total	2	4	0

Accepting the generally agreed figure of 4.7 days worked per week, the weekly income will be Rs. 10/8/-.

The above proposals are based on the cutting and loading of one 36 c. ft. tub, but we are satisfied that given the necessary endeavour on the part of the miner, and provision of the requisite facilities by the management, the vast majority of workers can cut and fill $1\frac{1}{2}$ tubs per shift and thus realise weekly earnings of:—

Rs. 15 for 4.7 shifts per week, and Rs. 19/2 for 6.0 shifts per week

We consider that the workers' leaders should spare no effort in encouraging this additional effort, and at the same time the management must see that the requisite facilities are maintained at the highest possible level of efficiency.

We are of the opinion that the workers' claims for uniformity in the rates for lift and lead are sound, as not only will such uniformity provide adequate recompense for expenditure of energy according to height and distance negotiated, but will quicken the incentive of managements to reduce these handicaps to the minimum, and thus produce beneficial results by improved output per man shift (O.M.S.)

We therefore recommend the following "basic" scales:—

Lift	Extra payment per 36 c. ft. tub.		
0 to 10'	Nil		
10' to 15'	0	1	0
15' to 20'	0	2	0
20' to 25'	0	3	0
and for every 5' above 25' an additional	0	2	0

Lead	Extra payment per 36 c. ft. tub.		
0 to 50'	Nil		
50' to 100'	0	1	0
100' to 150'	0	3	0
150' to 200'	0	5	0
and for every 50' beyond 200' an additional	0	3	0

As with the Re. -/8/- tub rate, we find that Re. -/8/- per day is the minimum basic wage for a male time-rated worker, and where not existing, it should be brought up to this standard.

Under these recommendations, his weekly emoluments will be:—

Basic	Ra.	0	8	0
150% dearness allowance.	"	0	12	0
	"	1	4	0
Plus average cash concession and value of free rice	"	0	6	0
Total	"	1	10	0
		× 6 days a week.		

i. e. weekly earnings of Ra. 0 12 0.

We feel it is impossible for us to prescribe rates in detail to cover all categories of collieries and all combinations of conditions and we therefore look to the industry to honour this conciliation and adjust its piece rates to comply with the general wage levels we have indicated. At the same time we expect labour to air their grievances within these recommendations. Should however it be found that complaints arise from either party, we feel that the good offices of the Government of India Conciliation Officer, or in technical matters the services of a senior officer of the Department of Mines will suffice to settle such disagreements in conjunction with representatives of either party.

(3) **Four Months' Bonus.**—There is a general demand, based we believe, on two premises —

- (a) That it is already being granted to colliery workers of the Tata Iron & Steel Co., Ltd. and should therefore be enjoyed by workers employed by others
- (b) The sincere desire to secure a lump sum payment annually, in addition to their weekly wages which are spent on the everyday necessities of life to meet such intermittent liabilities as marriages, deaths celebrations and domestic embarrassments, and so save them from recourse to the money lender and resultant exorbitant interest charges

We have considerable sympathy with this demand and feel that by recommending its acceptance, there is every chance of the mine worker being elevated out of his chronic state of impecuniosity and his consequent attitude of sufficient unto the day is the evil thereof

We feel that four months' basic pay as bonus should be granted bringing the rest of the Industry into line with the Tata Iron & Steel Co.'s collieries, but that this should be split into two months of calculation the second of which, we believe will provide still further incentive to increased production

- (a) Two months' basic earnings as bonus dependent on attendance.

In the case of a miner or other underground piece worker he shall qualify by completing not less than 190 days' attendance per annum. In the case of a weekly or monthly paid employee or surface piece worker he shall qualify by completing 265 days attendance per annum. This may be known as Attendance Bonus.

- (b) A figure of cost per ton has been determined for two months' basic earnings calculated from Tata's figures of numbers qualifying, and then earnings and relating this back to earnings during the given period

It is intended that this figure of cost per ton of coal raised shall be set aside and at the end of the year shall be shared out amongst those qualifying by attendance and according to their basic earnings qualifying periods as in (a). The advantages of this proposal are that the greater the output the greater the share-out and provides the incentive for every worker to give of his best and so reduce the numbers required with a resultant higher O.M.S. This may be named Production Bonus.

The only further qualification concerning both attendance and production bonus is that the beneficiary shall not have taken part in an illegal strike during the qualifying period.

We recommend that any dispute concerning bonus shall be settled at the instance of the Conciliation Officer or a senior Officer of the Department of Mines sitting with the two parties concerned. At the same time we anticipate that the Industry and the workers will co-operate to make the scheme an unqualified success.

(4) **Grading**—We find that grading of wages amongst piece workers is neither practicable nor desirable. The greater the skill and energy displayed the greater the reward.

Amongst time-rated workers we find ourselves unable to compute any scales which would meet this highly complex problem. We learn that guides are in force for certain categories of many collieries and we should like to see an extension of the system where practicable.

*To be calculated by the Industry

(5) **Payment of seven days' wages for six days' work.**—The wage levels we recommend are such that we do not feel it necessary to consider this question.

(6) **Annual Leave.**—We consider that the provisions for leave introduced by a large section of the Industry in September 1946 and attached hereto as Appendix "A" are fair and reasonable, except that we recommend 14 days leave with pay for monthly paid staff instead of the 12 days now in force.

(7) **Sick Leave.**—The existing arrangements for sick leave, we find generally adequate, and we believe that prescribing hard and fast rules in this connection would often militate to the worker's disadvantage.

In most cases employers pay -'8 - a day (which will increase to -'10/- a day, with the recommended increase in dearness allowance from 100 per cent. to 150 per cent.) together with all hospitalisation charges, and we find this to be working satisfactorily. We recommend however a continuance of the sympathetic consideration already given to all difficult and perhaps persistent cases.

(8) **Casual Leave.**—We find no justification for this demand.

(9) **Poojah Leave.**—We consider that where desired this may be taken from the accrued annual leave, but that payment for Poojah days as such cannot be supported.

(10) **Overtime.**—The Industry in its written reply has agreed to payment of all overtime in addition to payment for the rest day (already in force) at $1\frac{1}{2}$ times the normal daily rate.

This compares favourably with the requirements of the Factories Act which takes no cognisance of the rest day for computation of overtime rates.

We consider this to be a reasonable concession and we do not support the demand for double time.

(11) **Payment on a monthly basis.**—We have not been satisfied either by our own knowledge, nor yet by evidence given before us that this claim can be substantiated. On the contrary, we feel that the large majority of workers prefer weekly payment.

In the case of piece workers, the proposal appears to us to be both impracticable and undesirable.

(12) **Provident Fund.**—The demand for Provident Fund was accepted by the Industry in its written reply, but on a voluntary basis.

Under oral examination however the Industry agreed that this should be made compulsory.

We ourselves are of the opinion that it is imperative for contributions to be compulsory as otherwise we know that few if any would contribute, and the whole object of provision for old age would be nullified.

Suitable rules must now be framed by the Industry and submitted to Government for approval.

(13) **Gratuity and old age pensions.**—In view of the fact that we have recommended a substantial bonus which makes for an annual lump sum benefit, and that a Provident Fund is to be established which will provide for old age, we do not recommend either gratuity or an old age pension.

(14) **Permanency of service and protection against arbitrary punishment.**—We have examined the Draft Standing Orders (Appendix 16) already introduced by the Industry, and we are of the opinion that they have been most carefully compiled, that they will provide permanency and will give the necessary protection against arbitrary punishment.

(15) **Compensation for forced idleness.**—The Industry has in its written reply accepted the justice of making a compensatory payment in cases where a worker

has presented himself for work, and through no fault of his own, such work is not available due to a short and temporary stoppage or breakdown. In fact such payment is already being made and should continue to be made, but should be a fair compensation for the time so lost.

We agree with the Industry that it is not feasible to institute a retention allowance for the reasons stated in their reply.

We do however feel that wagon loaders are a special case where alternative work, or failing which, some form of reasonable compensatory allowance must be provided where provision has not already been made, owing to the chronic irregularity of wagon supply.

There are some grounds for complaint concerning short or late tub supply, but we feel this can best be met by stacking coal at site, and in any case, the miner is at liberty to transfer to another colliery where better conditions obtain, as short tub supply is by no means general.

(16) **Relieving Staff.**—We are wholly in favour of there being adequate relieving staff, and where non-existent or in short supply the deficiency should be made good. At the same time occasions must arise due to epidemics or other causes when a large percentage of workers is temporarily non-available, and at such times the remaining workers must accept the position and co-operate to keep production at its optimum.

(17) **Hours of Work.**—These are regulated by the Indian Mines Act and are at the present time under revision by the Government of India. We do not therefore feel called upon to express an opinion. It is however important that whatever the hours may be, there should be rigorous observance.

(18) **Promotion by Seniority.**—We accept the view of the Industry that other things being equal, seniority is given and will continue to be given due weight.

(19) **Surplus Coal.**—We are of the opinion that for all concerned it would be better if the practice of computing "surplus coal" be abandoned. We are aware that in several cases where the system obtains, all coal found "surplus" on despatch is credited to the miners at the full tub rate. It is even understood that the miners themselves like the system, as it involves payment of an unexpected bonus. At the same time we feel it does lead to misunderstandings which can well be avoided.

Our view is that the management must insist on securing such a standard of tub loading that when full tubs reach the surface the contents are level with the top of the tub. This is the unit for which payment is made, and variation either up or down can only lead to friction.

(20) **Fallen Coal.**—It has been stated before us that in cases where a derailment occurs and in consequence the loaded tub is either partially or completely emptied, no credit is given to the miner for cutting and loading that tub. We cannot accept this view as it is customary for the underground munshi and/or sirdar to record all tubs at the working face. If however cases do exist we are at one with the workers in recommending that the omission be rectified without delay.

(21) **Standardisation.**—We are in support of the proposal that the size of tubs should be standardised and recommend that two capacities only be built in future, i.e., 80 and 86 cu.ft., with the proviso that smaller tubs may be used in thin seams where the height of roadway is the determining factor. We should restrict ourselves to recommending a 86 cu.ft. only, but we are aware of conditions where nothing larger than a 80 cu.ft. tub is a possibility.

We recommend that all tubs in excess of 86 cu.ft. be reduced to this capacity within a period of two years.

"We are of the opinion that a common source of friction would thus be removed.

These recommendations, however, do not apply to the use of "mine cars".

(22) **Cost of Explosives.**—We are in agreement that the owner should provide the miner with explosives free of cost subject to such restrictions as will discourage theft and excess consumption.

(23) **Contract System.**—It was recommended by the Royal Commission on Labour, fully supported by all Committees from time to time appointed thereafter, that the Raising Contract system should be abolished. We are happy to record that extensive steps have been taken by the Industry to this end, but unfortunately in some cases, particularly in collieries owned by the State, the system still obtains. We are emphatic that the time has now arrived when it should be fully and finally abolished. It has undoubtedly led to widespread irregularities and malpractices and we unreservedly condemn it.

We make an exception as to overburden removal, as we appreciated the immense difficulties in keeping tally of multitudinous small excavations, departmental control over which being likely to lead to worse irregularities. There we feel that malpractices can be avoided by payment from the contractor's account to the workers direct by the management, in conformity with a list of earnings submitted by the contractor, which would be subject to scrutiny.

So long however, as the contract system continues, the labour employed therein and also in all piece-work systems, shall be paid direct by the Management, and such labour shall be entitled to all the amenities enjoyed by workers of the same categories as if directly employed.

(24) **Payment of Wages Act.**—A claim has been put before us for application to the Coal Mining Industry of the Payment of Wages Act.

We have not learned, nor have we been informed of any irregularities necessitating its application, but there are complaints of excessive fining. On this point there are two views. The objection of the Industry is that acts of omission or commission in a mine may be of such a serious nature that literally hundreds of lives may be lost and that heavy fining when such acts are found provides the only deterrent. We are impressed by both points of view, but we feel that the remedy for indiscriminate fining is now embodied in the Industry's Standing Orders (Appendix A) and that application of the above Act is therefore perhaps unnecessary. If, however, the Payment of Wages Act can be applied to the mines with such modifications as will suit the special conditions obtaining in the Industry, we would support its application.

(25) **Loans on Easy Terms.**—It is true that labour at times do require loans on easy terms and at present they are at the mercy of certain *Kabulis* and *chaprasis* who meet their requirements on payment of excessive interest rates. In order to get over this trouble, the better course would be the starting of cooperative credit societies with the help of the Managements. To obviate the necessity of borrowing at all, we have recommended payment of four months' bonus. With this grant it should not be necessary for them to borrow, but if for special and unavoidable reasons a loan is still required, then the assistance of the cooperative society may be sought. This appears to us to be a proposition more conducive to responsible citizenship than to suggest that Managements be asked to grant loans on easy terms.

(26) **Free Uniforms.**—The demand for supply of footwear and clothing to those who work in the mines does not appear to be unreasonable. We are not in favour of allowing these free to labourers. They may, however, be issued at concession rates, so that they may take care of them and not waste material. It is, however, doubtful whether this is possible in the present

circumstances when cloth cannot be had in plenty. In any case we recommend that the system of supply of uniforms and footwear at concession rates to workers in mines be introduced as early as possible.

(27) **Railway Passes.**—A demand has been put forward for payment of travelling fares when they go home. If the labourer is steady and works for at least 190 or 205 days as the case may be in a year as is expected of him, then there should be no difficulty in acceding to this demand and we understand that the Industry has no objection to this being met. But in the case of those who work only for a few days and go back, or frequently absent themselves even without proper notice, no payment of any kind should be allowed.

(28) **Conveyance Facilities.**—The demand of the labourers for conveyance facilities to reach collieries from their homes in the villages and back is fraught with several difficulties. It is probable that in many cases there is no proper road, nor railway running between the two places. On main roads lorries are generally seen bringing the labour from their homes to work. We recommend better housing conditions for colliery workers and in the near future it is expected that all employees will reside in houses built for them either by Government through the Welfare Fund or by the Management near their own collieries and the question of recruiting labour from neighbouring villages may soon disappear. All endeavours must be made to see that the labour is steady, stays in the houses meant for them and works at proper hours. If the demand for conveyance facilities is granted at this stage, it will encourage labour to continue to live in villages and not in the houses that are to be built for them or are being built for them. Under the circumstances, we do not propose any change in the existing conditions.

(29) **Pithead Baths.**—The demand for pithead baths on behalf of labour is superfluous inasmuch as legislation has made it compulsory for all colliery owners to provide them. We have noted several already under construction and we hope that by the date fixed by Government, every colliery will have this amenity.

The demand for free supply of soap is not conceded by the Industry and we are of the opinion, after taking all circumstances into consideration, that it would not be proper. The soap may be made available near the pithead baths for purchase at cost price.

(30) **Preference to Workers' Children in the matter of Employment.**—Many of the labour leaders put before us a demand for preference to children and relatives of labourers in employment. On behalf of the Industry it was stated that there was absolutely no objection to giving preference to children and relatives of employees if they were efficient in the work for which they were intended. We feel that the Industry is right in the manner in which they have put the case and the demand is thus met.

(31) **Better Medical Facilities.**—We have seen some of the hospitals and dispensaries in the collieries. We have also recorded the evidence given by the Chief Medical Officers of Jharia, Asansol and Hazaribagh. All the Chief Medical Officers were agreed in saying that the medical facilities provided for the labourers in the collieries, generally speaking, are inadequate and unsatisfactory. It is true that in some big collieries better medical facilities exist and the Management is prepared to expand the facilities still further. We have, however, come across cases where one doctor serving several collieries does not attend to the ailments of the labourers. He does not even know that there are cases which require attention and thus no proper medical facilities are afforded.

We have noticed that sanitation in the dhowrahs in several places is wholly neglected. The medical officers who appeared before us candidly admitted

that their bye-laws were observed more in the breach than in the performance. A deplorable state of affairs does exist and the labour is right in demanding better medical facilities and better sanitation.

We understand that the Welfare Fund is taking steps to establish one Central and two Regional Hospitals in each of the Bengal and Jharia Coal-fields. These will to a considerable extent provide better medical facilities, but will take at least five years to build. They are not intended to replace the hospital and dispensary facilities provided by the Management and it is confidently expected that the Management will grant the necessary amenities to the labour employed by them, and follow a progressive policy in this regard.

Rules framed by the Mines Boards of Health, if observed in both letter and spirit, will entirely eliminate these causes of adverse comment. The Chief Medical Officers appointed by the Boards of Health have followed a policy of negotiation rather than enforcement by legal action. Whilst we have no fault to find with such a policy, we do feel that either a stronger line of action must be taken in the negotiations or recourse be had to the law. Whichever may be the ultimate action, we are convinced that a general improvement in sanitation and housing conditions can and must be achieved.

We are of the opinion that the Constitution of the Boards should be revised to provide more representation of Labour and of the medical profession, as we believe this in itself will go a considerable way towards emphasising any irregularities that may exist and provide for their removal. It is the duty of the Boards to see that their bye-laws are observed and it should not be entirely the responsibility of the Chief Medical Officer to determine what degree of pressure should be brought to bear. We therefore recommend a more determined policy be adopted by the Boards themselves for observance by their Chief Medical Officers. We are satisfied that not all Chief Medical Officers of the Boards are lacking in the necessary drive and personality, but where such deficiency may be determined we do not hesitate to recommend replacement, for being the chief executive of the Board his office is one of tremendous responsibility, and he can make or mar the drive for improvement in living conditions.

We are also convinced that both Management and Labour can worthily play their part in this uplift movement. The Management can and must cooperate fully with the Board. We do not suggest that generally speaking the deficiencies for which they are responsible are intentional, but we do ask for more positive attention to this subject. Labour itself must be taught and must learn that self help is half the battle and that without a positive contribution on their part, much of the endeavour by others will be wasted and their conditions cannot materially improve. Their labour leaders can find a useful field for their activities.

We look forward to the day when a greater sense of pride is taken in the provision and maintenance of hospitals and dispensaries, and we put forward the suggestion that an annual competition might be held to determine which hospital and which dispensary hold pride of place.

(32) Payment of Benefits under the Mines Maternity Benefit Act.—We came across isolated cases where it was claimed that due benefits had not been paid, but on enquiry we were not satisfied that all qualifying conditions had been fulfilled.

It is felt that until the provisions of the Act are widely known and observed by the workers, there will continue to be a few cases of complaint, but a special Medical Officer is on duty with the Department of Mines to investigate these and to see that the Act is fully implemented. We consider this adequate.

(33) **Demand for Creches.**—This demand had already been met by the statutory obligation on owners to make such provision.

(34) **Provision of Houses for Miners and Water Supply Arrangements.**—This problem has given us very considerable food for thought, as indeed it has too many before us. We are happy to know that the Welfare Fund has taken a big view and we understand, has made provision, and is making arrangements, to construct some 50,000 houses of an improved type. Nevertheless we fear that many years must elapse before the scheme comes into fruition.

In our opinion, it is a matter of considerable urgency, as we find that overcrowding is the rule rather than the exception, especially, at this time of the year when labour is at the maximum of supply. We appreciate the difficulties experienced by the Industry in the past due to its depressed state prevalent over many years. We realise also, the changes that have taken place, whereby locally recruited labour now require housing instead of trekking to and from their homes, and the large replacement of local labour by recruitment from further afield in an endeavour to establish a more permanent labour force, such recruitment in itself causing still further crowding within the limited accommodation available. Again, we appreciate the efforts being made by many owners to relieve this congestion by extensive construction.

Nevertheless, the shortage obtains, and the makeshift arrangements (or lack of them) at many collieries, coupled with the resultant insanitary, unhygienic, and often unmoral, living conditions, call for even more prompt measures than are envisaged under the Welfare Fund plan, if the standard of living conditions is to be raised in an appreciable space of time. Fair as it may appear, to lay the onus on the owner, it is an inescapable fact, that building requires extensive capital, and additions to capital postulates additional revenue charges to pay interest and provide amortisation of capital. The problem can either be solved that way or assistance be provided from the Welfare cess. It is to be considered therefore whether the object would not be achieved at less cost and in a quicker space of time by granting subsidies from the Welfare Fund for construction by the collieries to an approved design. We agree it is not even a possibility on many collieries owing to goaving operations in the past or contemplated in the future, but in many cases the opportunity does exist. We agree that model townships and/or villages are desirable, but we feel that a combination of a modified programme in this regard, coupled with an intensification of building at the collieries would more quickly alleviate the present unsatisfactory state of affairs.

As regards the type of structure, we are of the opinion that the planning should provide for the ultimate accommodation of at least two rooms per family, with single rooms for one or more single men. The Bhore Committee, we understand, has recommended 10' x 12' x 10' with a verandah 8' x 8' x 10', with a kitchen, latrine and bathing place for a single man as a proper human habitation. For a family, two rooms each 10' x 12' x 10' with a verandah, kitchen, bath-room and latrine; with grown-up children, at least one extra room. This is the ideal to be aimed at and we hope the time may come when the coal industry may find it possible to provide such housing with the help of Government through the Welfare Fund. We feel that a kitchen and a washing place should be constructed in each unit and that this recommendation be given effect to immediately in all existing accommodation.

We recommend that wherever water can be made available, sanitary latrines should be provided, but we hesitate to urge construction of earth closets which we find from experience to be eschewed universally.

It is imperative that pukka drains in the surrounds of all housing be provided and maintained. Kutcha drains can never be kept in a sanitary condition.

We have already commented to the effect that the worker must himself play his part and we reiterate that unless he and his family cooperate in the maintenance of cleanliness in their homes and sanitary conditions in the surrounds, all efforts to improve their lot will be rendered largely nugatory.

And finally, it is imperative that the supply of water be greatly increased, and all possible sources should be tapped. We understand that the Jharia Water Board has this matter actively in hand, but that in the Bengal coal-field even investigations are comatose. We urge that this important aspect of health and comfort be re-opened.

(35) **Education.**—We endorse the view of the Industry that education is a duty for the State, but that in spite of this, many primary schools are being maintained at individual collieries. We also agree with them that unless education is compulsory it is unlikely to be embraced by the large majority, and compulsion is something it would be neither meet nor proper for the owners to attempt. They have expressed their willingness to cooperate, but not to accept liability for this enormous work. We appreciate their attitude and can only ask that they expand their existing activities as far as they may find possible, combining them with technical training.

Following on the above, it is perhaps redundant for us to say that we cannot recommend imposing the liability on the Industry for provision of higher education.

(36) **Supply of Rations.**—Wherever we went, we heard complaints of bad quality rice and of short quantity, both regarding food and cloth. We were told that labourers experienced great difficulty in securing cloth for their dependants.

Government has entrusted the work of distributing rations of food and cloth to the mine owners. They are doing their best to cope with the situation and have to take all manner of abuses from their employees for not giving proper supply though, as a matter of fact, it is short supply from Government that is almost entirely responsible for the trouble. So far as food is concerned, very inferior quality is supplied at present to the labourers, and they are most annoyed. This has got to be improved.

The coal industry is *the* key industry of all the industries in India, Labour employed therein therefore, must be kept satisfied and contented, and must have adequate rations for their strenuous work. Government must see that better quality of food, and sufficient quantity of food and cloth are supplied for these labourers and their dependants. We are satisfied that the supply of cloth for dependants also through the industry is by far more preferable. This matter is one of the principal causes of discontent, if not *the* principal cause, and implementation of our recommendations will not remove the canker unless we have succeeded in proving the necessity of making special provision for this industry in the matter of food and cloth supply, and that this necessity is acted upon. We, therefore, recommend that necessary steps be taken in this direction. Better quality and greater quantity of food and other consumer goods must be made available to absorb the increase in wages that we have recommended. Otherwise, we fear that our endeavours to improve the lot of the workers will be rendered null and void either by inflation or increased drunkenness.

(37) **Recreation Facilities.**—It is true that as a general rule, many of the workers go to grog shops at week-ends. This is due to a certain extent, for want of any other entertainment available to them. There are few recreation grounds and little in the way of amusements, with the result that after work they resort to the grog shops and drink as much as they can afford. We are, therefore, of the opinion that recreation grounds and amusement facilities must be provided.

18. (38) **Railway Collieries.**—These are State-owned collieries. We were sorry to find that housing conditions in those collieries were not satisfactory and adequate. In Giridih, the houses require repairs. In Kargali, one locality in a particular area was filthy and insanitary. There was no proper water supply, even for washing purposes, and many of the houses in which the labourers were living were not fit for human habitation. Street lighting was rarely to be found at Kargali, though available at Argada. Water scarcity was noticed everywhere. Argada was somewhat better than other places. It is but natural that labourers complain about their living difficulties in those collieries. The C.M.E., for the Railway Board was examined by us. He admitted the deplorable state existing in those collieries and promised to see that houses were properly repaired, more houses constructed, and sanitary arrangements installed so as to avoid all criticism. We recommend that the Government undertakes this at the earliest possible opportunity. Overcrowding should be avoided in every place by constructing more dhowrahs, and all dhowrahs should be fitted with kitchen and washing places. Public latrines and urinals should be erected wherever possible, and sufficient water supply should also be made available to them, both for drinking and washing purposes.

In Railway collieries we heard several complaints of non-payment of dearness allowance and interim relief. It was complained before us that the Railway Management had paid the money to the contractors, but that the contractors had not paid the same to the labourers and in some cases, payments had not been made at all. This requires very careful investigation. We recommend that a committee of enquiry be immediately appointed to go into these questions, and if payments have not been made, they should be made immediately. The C.M.E. told us there were no cases of misappropriation but that an enquiry was to be held. This action we support.

Regarding wages in Railway collieries, we are satisfied that they should fall in line with those recommended by us for labour in other areas.

We have already stated that the raising contract system should be abolished. This system is most prevalent in the Railway Collieries, it is responsible for several malpractices and wrongs, and it should be abolished at the earliest possible moment.

19. CONCLUSIONS

Portfolio.—Resulting from our investigations, we find that the interests of various Central Government departments clash, and until unified direction is brought within the purview of one Ministry, the smooth working of this, the basic industry, will be greatly retarded.

General.—It has been our endeavour to deal with all matters of common demand, and to dispose of such domestic friction as lay within our power during the constitution of the Board, but it has appeared to us that urgency in presentation of our Report has been of over-riding importance. We have found ourselves unable therefore, to investigate and conciliate on all minor matters of individual concern, which, we believe to be more in the province of the Government of India Labour Conciliation Officer. This latter officer, Mr. Narsingh, has been constantly at our disposal and has rendered us yeoman service.

In spite of the agreement we have reached, we are apprehensive of the future by virtue of the many political parties controlling respective Unions, and the danger that political rather than industrial considerations will guide the destiny of Labour.

We therefore appeal to all Union executives to restrict their activities to the labour movement only and to discard political shibboleths and aims. Otherwise, we fear that peace will never be maintained and, if not maintained, the workers will be the greatest sufferers.

Date from which benefits will accrue.—We have most carefully considered the question as to the date from which the benefits we recommend should have effect, and we are of the opinion that this should be on the day that our Report is published by the Government of India and by the Government of Bihar, for collieries and factories respectively, and it is our view that publication should be made by both Governments simultaneously.

We are happy to record that, subject to the proviso hereinbelow stated, our conclusions and recommendations are unanimous, and we trust that they will be honoured by all members of the Industry and all sections of Labour alike.

We wish to record our gratitude to the various bodies who have so readily placed accommodation at our disposal for conduct of the Board's business, *via.*:—

The Department of Mines, by the Chief Inspector of Mines in India,

The Town Hall, by the Local Board,

The Municipal Hall by the Dhanbad Municipality, and

The Jharin Rescue Station by the Rescue Stations Committee.

We also wish to record our deep appreciation of the tireless and efficient services rendered by our Secretary, Rai Sahab M. Massey and his able Staff, particular among whom, we should like to name Reporters, Messrs. S. K. Murthy and J. A. Khan, whose records of our proceedings were outstandingly accurate, and who worked long hours so that the relevant data might be quickly at our disposal.

Proviso.—Messrs. Rathor and Tarlton approve of this report in its entirety, subject to provision by the Government of India, of such increase in the selling price of coal as will enable the Industry to meet all liabilities accruing therefrom.

The 12th April, 1947.

W. R. PURANIK, *Chairman.*

S. F. TARLTON,

D. R. RATHOR,

P. C. BOSE.

SIJUA JHERRIAH POWER HOUSE DISPUTE

There appears to be a double set of demands both in this case and in the case of the Loyabad Coke Plant Workers' Union. This is confusing and as we have answered the one set of demands in the case of the Coke Plant, we will deal with the other set of demands in this case.

As with the Loyabad Coke Plant, the demands are largely in conformity with the general demands put forward on behalf of colliery labour, and which have been dealt with in our Report.

Dealing however, *seriatim*, with the demands submitted, our views are as follows :—

<i>Demands</i>	<i>Findings</i>
1. The Union must be recognised and a building must be provided by the management to lodge the Union Office.	The Union has been recognised for several years and an office has been provided.
2. All employees must be considered to be permanent and their employment must be secured.	We recommend institution of Standing Orders similar to those in force the Coal Mining Industry but modified to suit the special circumstances and to comply with the Factories Act.
3. No employee can be dismissed without consulting the Union.	We cannot recommend this.
4. Grade system of pay must be introduced and system of promotion should also be introduced.	We understand under oral examination of the Chief Engineer that such already obtains.
5. Seventy five per cent increment of basic wages with a minimum basic wage of Rs. 30 p.m.	Please refer to our Report—para. 17 (2).
6. Dearness allowance should be made to line with the living cost.	Please refer to our Report.
7. Four months' salary as bonus must be given to all workers every year commencing from 1946.	Please refer to our Report—para. 17 (3)
8. Facilities of provident fund, gratuity and pension, should be made for all workers.	Please refer to our Report - paras 17 (12) and (13).
9. Every worker should be allowed one day off in a week without curtailment of his income.	We do not understand this demand. The Power House is regulated by the provisions of the Factories Act.
10. General shift workers should be allowed to have Saturday as half holiday.	This is a demand on which we are not prepared to give a recommendation. If it is granted, it is by favour of the Management.
11. Every worker must be given double the wages including dearness allowance for any period of overtime work.	This is covered by the provisions of the Factories Act.
12. One month's privilege leave, one month's sick leave, and 15 days' casual leave must be given to all workers.	Please refer to our Report—para. 17 (6).
13. Privilege leave must be accumulative.	This demand we must reject.
14. All Government holidays must be observed as holidays.	Please refer to our Report.
15. Adequate accommodation to all workers must be given within December 1948.	Please refer to our Report. We understand that every endeavour will be made to meet this demand.
16. Arrangement of lavatory and urinal for both sexes in sufficient number should be made. The work should commence immediately.	Please refer to our Report—para. 17 (34).
17. Sanitary arrangements should be improved.	Please refer to our Report—para. 17 (34).
18. Each dhowrah block (10 dhowrahs) should be provided with one water tap and should remain open for a minimum period of 8 hours in a day.	We learn that owing to the shortage of water at the disposal of the Jharia Water Board, the restrictions imposed by the Board will not permit this.

<i>Demands</i>	<i>Findings</i>
19. As the present arrangement of bath is too much unsatisfactory, modified arrangement of baths for each sex should be made.	We understand that arrangements have been made to improve on existing installations.
20. Sufficient Street lighting should be provided .	We learn that an extension of existing street lighting will be made.
21. Workers and their dependants must get their food and cloth rations without any restrictions of number of their dependants whatsoever. Ration cards for cloth must also be given.	Please refer to our Report; para. 17 (36).
22. Uniforms for duty should be given free of cost.	Please refer to our Report—para. 17 (28).
23. Washing soap for cleaning hands and feet to all workers after duty must be supplied free of cost.	Please refer to our Report—para. 17 (29).
24. Better arrangement for treatment in the hospital including increase in number of beds, equipment, medicine, etc., with the appointment of a Lady Doctor, must be made.	Please refer to our Report—para. 17 (31). We consider the hospitalisation at this centre to be good and is already under expansion. We understand that the Company has been endeavouring to find a Lady Doctor, but owing to their nation-wide scarcity, they have so far not met with success. Attempts however are continuing.
25. There must be adequate relieving staffs in the company. Permanent posts falling vacant will be given to these relieving staffs according to seniority.	Please refer to our Report—para. 17 (16).
26. Facilities for primary and higher education for the children of workers should be made without further delay. Apprenticeship to these children should be introduced.	Please refer to our Report—paras. 1 (35).
27. When filling a permanent post case of a worker's son should be given the first priority.	Please refer to our Report—para. 17 (30).
28. Arrangements for recreation of the employees dependants should be made as suggested. One Cosmopolitan Club house having arrangement for a permanent stage with an open front sufficient to hold 5,000 audience in a suitable place within the colliery.	Please refer to our Report— para. 17 (37).
Recurring grant of Rs. 1,000 per annum and a radio set in the club room.	The management should see that a suitable grant is made for this purpose.

W. R. PURANIK, *Chairman.*

S. F. TARLTON.

D. R. RATHOR.

P. C. BOSE.

The 12th April 1947.

II—LOYABAD COKE PLANT DISPUTE

The demands put forward by the Loyabad Coke Plant Workers' Union are largely in conformity with the general demands put forward on behalf of the colliery labour, and which have been dealt with in our Report.

Dealing however, *seriatim*, with the demands submitted, our views are as follows:—

<i>Demands</i>	<i>Findings</i>
1. Union must be recognised by the Company and premises for the Union Office must be provided by the company.	Please refer to our Report—para. 17 (1).
2. Permanence and Security of service. No dismissal without consulting the Union.	Please refer to our Report—para. 17 (14).
3. Payment should be made on monthly basis. Grade system and system of promotion must be introduced.	Please refer to our Report—para. 17 (4).
4. Fifty per cent increase on basic wages with minimum basic wage Rs. 30/- per month.	Please refer to our Report—para. 17 (2).
5. Four months' salary as bonus to all workers every year.	Please refer to our Report—para. 17 (3).
6. Provident Fund, Gratuity, and Old Age Pension.	Please refer to our Report—paras. 17 (12) and (13).
7. One day's spare every week but wages should be given for 7 days including all allowances.	Please refer to our Report—para. 17 (5).
8. If there be any granted leave in the week, the wages for the spare day should not be cut.	As we understand the position, under the Factories Act, double time is paid for work on the seventh day, this being a continual process plant. If the seventh day is not worked, double rate is not payable, and we can see no reason to vary this procedure.
9. Any worker working for more than six days in the week should be given double wages for the overtime work including all allowances.	As payment is regulated by the Factories Act this demand is automatically covered.
10. One month's leave with full pay including all allowances.	Please refer to our Report—para. 17 (6).
11. Sick leave with full pay including all allowances	Please refer to our Report—para. 17 (7).
12. Leave on all Government holidays to all workers irrespective of caste and creed with full pay including all allowances.	Please refer to our Report—para. 17 (9).
13. Quarters and dhowrahs for each and every worker. Family quarters to those who require.	Please refer to our Report—para. 17 (34).
14. Water taps, electric lights, and latrines for each dhowrah block. Separate arrangements for baths for women. Necessary repairing of dhowrahs should be made promptly.	Please refer to our Report—para. 17 (34).
15. Pithead baths should be introduced	Please refer to our Report—para. 17 (29).

<i>Demands</i>	<i>Findings</i>
16. Regular supply of sugar should be made to all workers.	Please refer to our Report—para. 17 (36).
17. Supply of clothes for all members of the family of workers should be made regularly every 3 months.	Please refer to our Report—para. 17 (36).
18. Receipts of ration and cloths must be issued to all workers.	As the amounts issued are shown on the ration cards, we consider issue of receipts to be redundant.
19. Washing soap for cleaning hands and feet should be issued to all the workers free of cost.	Please refer to our Report—para. 17 (29).
20. Company should issue working uniforms to all workers free of cost.	Please refer to our Report—para. 17 (28).
21. Better arrangements should be made for beds, equipments, treatment etc., in the hospital. A Lady Doctor must be appointed.	Please refer to our Report para. 17 (31). We consider the hospitalisation at this centre to be good. We understand that the company has been endeavouring to find a Lady Doctor, but owing to their nationwide scarcity they have so far not met with success. Attempts however are continuing.
22. Any new rule made by the company must be done after consultation with the Union.	We cannot accept that this is a fair demand.
23. There must be adequate relieving staff in the company.	Please refer to our Report—para. 17 (16).
24. Free primary education for children of the workers.	Please refer to our Report—para. 17 (35).
25. Company must provide nurseries for the children of the workers.	We understand that a nursery has been in existence for some years.
26. Facilities for higher education and apprenticeship for workers' children.	Please refer to our Report—para. 17 (35).
27. Workers' sons must get the first chance when a post is vacant.	Please refer to our Report—para. 17 (30).

Mr. Paul, President of the Union, demanded the abolition of the "Contract" system. We learn that this is a misnomer as the expression is generally understood, and that there are three small contractors, each with a gang of some forty workers, whose duties are the handling of coke into wagons and to and from stock. Each "Contractor" takes one shift and himself supervises the work of his men. Considerable difficulties would arise by the abolishment of this practice and we are of the opinion that protection of this labour can be still further ensured by their payment from the Coke Plant Office, which we recommend.

W. R. PURANIK, *Chairman.*

S. F. TARLTON.

D. R. RATHOR.

P. C. BOSE.

The 12th April 1947.

APPENDIX "A"

DRAFT STANDING ORDERS FOR THE COAL MINING INDUSTRY

1. These orders shall come into force on and from
2. In these orders unless there is anything repugnant in the subject or context:—
 - (a) "Employees" means all work people male or female employed above ground or underground either directly by the Company or under a Contractor or Contractors except those who come within the category of Officers of the Company or those whose average pay exceeds Rs. 200 per month.
 - (b) The "Company" means.....
 - (c) The "Contractor" means Contractor appointed by the Company but does not include Commission Contractor.
 - (d) The masculine includes the feminine.
 - (e) Employees shall be classed as (1) Permanent, (2) Probationers, (3) Bedlis or Substitutes, (4) Temporary, (5) Apprentices.
 - (f) A "Permanent" employee is one who is appointed for an unlimited period or who has put in 12 months' continuous service.
 - (g) A "Probationer" is one who is provisionally employed to fill a permanent vacancy and has not completed 6 months' service in that post. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period not exceeding 6 months be reverted to his substantive post.
 - (h) A "Badli" or "Substitute" is one who is appointed in the post of a permanent employee or probationer who is temporarily absent.
 - (i) A "Temporary" employee is one who is engaged for work which is of an essentially temporary character.
 - (j) An "Apprentice" is a learner who is paid an allowance during the period of his training either from the date he is taken on or on expiry of any probationary period.
3. (a) Notification to employees regarding period and hours of work shall be posted at the office of the Mine in accordance with Chapter VI of Indian Mines Act.
- (b) Notice specifying holidays, pay days and wage rates payable to all classes of workers shall be posted at the office of the Mines.
- (c) Payment of wages to a Contractor's employee shall be witnessed by an Official of the Company deputed for the purpose in writing. Dearness allowance shall be paid to every individual employee of a contractor and not to the contractor.
- (d) Any wages due to the employee but not paid on the usual pay day on account of their being unclaimed shall be paid by the company or the contractor as the case may be on such unclaimed wage pay day in each week as may be notified to the employees and following the day on which a substantiated claim was presented by the employee or on his behalf by his legal representatives provided that such claim is submitted within 12 months from the date on which the wages become due to the employee.
- (e) All weekly and daily paid workers should receive $1\frac{1}{2}$ times their daily wage for Sunday work.

NOTE:—Daily wage includes basic plus approved percentage increase but excludes cash concession and free rice, which will continue on the same scale as 'week days'

4. Shift working notices shall be posted at the Office of the Mine in accordance with Chapter VI of Indian Mines Act.

5. All employees shall be at work on the colliery at the times fixed and notified to them. An employee attending late shall be liable to be treated as absent and have his wages deducted for the period of lateness. Habitual late attendance shall be treated as misconduct.

6. Any direct employee of the Company other than a miner or loader who desires to obtain leave of absence shall apply in writing to the head of his department or the Manager of the Colliery. If the employee remains absent beyond the period of leave originally granted or subsequently extended he shall lose his lien on his appointment unless—

- (1) he returns within 8 days of the expiry of the leave, and,
- (2) gives an explanation to the satisfaction of the Manager of his inability to return before the expiry of leave. In case the employee loses his lien on the appointment he shall be entitled to be kept on the "Badli" list.

If leave is refused or postponed the fact of such refusal or postponement and the reasons therefor shall be recorded in writing in a Leave Register to be maintained for this purpose and if the employee so desires, a copy of such entry in the Register shall be supplied to him.

7. (a) Continuous service for a period of 12 months on the colliery will qualify a monthly paid employee for a period of 12 consecutive days' and a weekly paid employee, miner or loader or other piece worker for 7 consecutive days' leave, on full average pay or wages as the case may be.

Explanation.—A monthly paid employee shall be deemed to have completed a period of 12 months continuous service notwithstanding any interruption in service during those 12 months brought about by sickness, accident, or authorised leave not exceeding 90 days in the aggregate for all three, or by a lock-out, or by a strike which is not an illegal strike, or any intermittent periods of involuntary unemployment not exceeding 30 days in the aggregate;

A weekly paid employee or surface piece worker shall be deemed to have completed 12 months continuous service if he has during the said 12 months put in not less than 265 attendances:

A miner or loader or underground piece worker shall be deemed to have completed 12 months continuous service if he has during the said 12 months put in not less than 190 attendances.

PROVIDED nevertheless no employee or worker shall be entitled to leave with pay if he has during the qualifying period of 12 months taken part in an illegal strike.

(b) Such leave shall be granted during the 12 months following the qualifying period of 12 months' continuous service, and the time at which such leave shall be granted shall be at the discretion of the Company.

(c) For the purpose of computing qualifying attendance for leave with pay as above provided, this Order shall be deemed to have come into operation with effect from 1st September 1946.

(d) Leave pay for a miner, loader or other piece worker shall be computed on the basis of the daily average earning of all the workers of the same category during the month of August prior to his leave. For the purpose of such computation the cash value of any free issue of food and any cash compensation drawn by the workers during the said month shall be similarly averaged and shall be taken into account.

(e) Leave pay for a weekly paid worker shall be computed on the basis of his average daily earning during the week preceding his leave. The cash value of any free issue of food and any cash compensation drawn by the worker shall be taken into account.

(f) Six days' pay computed as above shall be payable to the worker of which 50 per cent. shall be paid to him before he proceeds on leave.

8. The Company may at any time or times in the event of underground trouble, fire, catastrophe, breakdown of machinery or stoppage of power supply, epidemics, civil commotion or other cause beyond the control of the Company stop any section or sections of the Colliery, wholly or partially for any period or periods without notice and without compensation in lieu of notice.

In the event of such stoppage during working hours the employees affected shall be notified by notices put up on the notice board in the departments concerned or at the office of the Manager as soon as practicable.

Compulsory leave with pay shall be given to the extent of any privilege leave due to the employee. If no privilege leave is due the compulsory leave will be without pay but the period will count as qualifying service in so far as Provident Fund membership or gratuity is concerned.

9. For terminating employment whether by the management or the employees notice shall be given in writing both by the Management and employees.

(a) One month's notice for monthly staff.

(b) One week's notice for weekly staff.

The Management may make payment in lieu of notice. When an employee draws wages of a piece-rate his weekly wages shall be computed on the average daily earnings of such employee for the days actually worked during the previous wage period.

No temporary employee whether monthly paid or weekly paid or piece-rated or probationer, or substitute shall be entitled to any notice or pay in lieu thereof if his services are terminated.

If any permanent employee leaves service without notice he shall be liable to be used for damages.

10. An employee may be suspended, fined, or dismissed without notice or any compensation in lieu of notice if he is found to be guilty of misconduct; and the following acts of commission shall be treated as misconduct.

(a) Wilful, fraud, or dishonesty in connection with the Company's business or property.

(b) Theft, fraud, or dishonesty in connection with the Company's business or property.

(c) Damage to employer's goods or property.

(d) Taking or giving bribes or any illegal gratification whatsoever.

(e) Absence without leave.

(f) Habitual late attendance.

(g) Breach of Indian Mines Act, Rules or Standing Orders.

(h) Riotous or disorderly behaviour in the Colliery or any act subversive of discipline.

(i) Habitual negligence or neglect of work.

(j) Frequent repetition of any act or omission for which a fine may be imposed.

No order of dismissal shall be made unless the employee concerned is informed in writing of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him. The approval of the Owner,

Agent or Chief Mining Engineer of the Company is required in every case of dismissal and when circumstances appear to warrant it that officer shall institute separate independent enquiries before dealing with the charges against an employee.

If on enquiry the order is confirmed or modified, the employee shall be deemed to be absent from duty for the period of suspension and shall not be entitled to any remuneration for such period. If, however, the order is rescinded, the employee shall be deemed to be on duty during the full period of suspension and shall be entitled to the same wages as he would have received if he had been suspended.

11. All complaints arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his servant shall be submitted to the Manager of the Colliery with rights of appeal to the owner, Agent or Chief Mining Engineer.

12. Every permanent employee shall be entitled to a service certificate at the time of leaving service, dismissal or discharge.

13. The decision of the management upon any question arising out of, in connection with or incidental to these orders, shall be final.

14. A copy of these orders in English and also in the principal regional language of the local area in which the colliery is situated shall be posted at the Manager's office and in such other places on the colliery as the Company may decide and shall be kept into legible condition.

V. NARAYANAN,

Joint Secy. to the Govt. of India.

